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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,584	02/04/2004	Marianne L. Kodimer	66329/00141	3800
23380 7590 01/10/2008 TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414			EXAMINER AVERY, JEREMIAH L	
			ART UNIT 2131	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/771,584

Applicant(s)

KODIMER ET AL.

Examiner

Jeremiah Avery

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 1 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 4, 11 and 15-28 have been cancelled.
2. Claims 1-3, 5-10 and 12-14 have been examined.
3. Responses to Applicant's remarks have been given.

Claim Objections

1. Claims 1 and 6 are objected to because of the following informalities: usage of the word "adapted". It has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the *ability* to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-3, 5-10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 7,127,524 to Renda et al., hereinafter Renda and further in view of United States Patent No. 6,516,416 to Gregg et al., hereinafter Gregg.

2. Renda significantly discloses the claimed invention, as cited below. However, Renda does not significantly disclose the limitations pertaining to “an electronic document” as found within claims 1 and 8. Gregg, however, discloses these limitations, as cited below.

3. Regarding claims 1 and 8, Renda and Gregg disclose a system and a method for role-based control of a document processing device comprising:
means adapted for receiving an electronic document into a document processing device via an associated network (Gregg – column 21, lines 11-37, “The initial block has the user input URL for copyrighted HTML using a web browser (block 430) and the web server sends the copyrighted HTML document (block 432)”);
means adapted for receiving, via the associated network, document processing instruction data corresponding to at least one user-selected document processing operation corresponding to the received electronic document (Gregg – column 21, lines 11-37, “the web browser window where HTML contents are displayed (block 438) and the user chooses one of the print, save or cut/copy/paste options (block 440)”);
means adapted for acquiring, via the associated network, user data representative of an identity of a user of a document processing device, which user data is associated with the received electronic document (Renda – Figures 3D, 3E and 7, column 4, lines 44-

52, column 9, lines 45-55, column 23, lines 31-36, "user identifier and password" and lines 66 and 67, column 24, lines 1-12, column 41, lines 29-59 and column 42, lines 35-42 and *Gregg* – column 21, lines 11-37, "The initial block has the user input URL for copyrighted HTML using a web browser (block 430) and the web server sends the copyrighted HTML document (block 432)");

means adapted for prompting the user for login data via an interface associated with the document processing device (*Renda* – Figures 3C, 3D, 3E, 8A and 8B, column 8, lines 5-14, column 13, lines 46-58, column 21, lines 66 and 67, column 22, lines 1-7 and 58-67, column 23, lines 4-9, 31-36, 66 and 67, column 24, lines 1-12 and 58-64, column 25, lines 43-67, column 26, lines 1, 2 and 61-67, column 27, lines 1-3 and 52-65, column 29, lines 4-17 and column 41, lines 29-53);

means adapted for receiving login data from the user via the interface (*Renda* – Figures 3C, 3D, 3E, 8A and 8B, column 8, lines 5-14, column 13, lines 46-58, column 21, lines 66 and 67, column 22, lines 1-7 and 58-67, column 23, lines 4-9, 31-36, 66 and 67, column 24, lines 1-12 and 58-64, "authentication server may use as part of the authentication process, for example, by only allowing a user to log in via a device with that MAC address", column 25, lines 43-67, column 26, lines 1, 2 and 61-67, column 27, lines 1-3 and 52-65, column 29, lines 4-17 and column 41, lines 29-53);

means adapted for receiving device access data representative of device access privileges associated with each of a plurality of users (*Renda* – column 7, lines 63-67, column 8, lines 1-18, "master access controller 222 may store the privileges for all users and provide them to such access controller once authentication server 224

authenticates the user” and lines 48-64, column 9, lines 34-55, column 17, lines 33-53, “When communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested”, column 18 and lines 11-23, column 22, lines 1-28, column 23, lines 66 and 67, column 24, lines 1-12 and 58-64, “authentication server may use as part of the authentication process, for example, by only allowing a user to log in via a device with that MAC address”, column 25, lines 3-16, column 27, lines 52-67, column 28, lines 1-20 and 41-60, “privileges record”, column 29, lines 4-17, column 31, lines 52-67);

comparison means adapted for comparing user data and login data with the device access data (column 23, lines 31-36 and 46-51 and column 41, lines 54-66);

means adapted for associating login data with at least one preselected user role in accordance with an output of the comparison means (*Renda* – Figures 3C, 3D, 3E, 8A and 8B, column 8, lines 5-14, column 13, lines 46-58, column 21, lines 66 and 67, column 22, lines 1-7 and 58-67, column 23, lines 4-9, 31-36, 66 and 67, column 24, lines 1-12 and 58-64, “authentication server may use as part of the authentication process, for example, by only allowing a user to log in via a device with that MAC address”, column 25, lines 43-67, column 26, lines 1, 2 and 61-67, column 27, lines 1-3 and 52-65, column 29, lines 4-17 and column 41, lines 29-53);

means adapted for retrieving a permission matrix template specifying allowable usage options of the data processing device associated with each of the plurality of user roles (*Renda* – column 7, lines 63-67, column 8, lines 1-18, “master access controller 222

may store the privileges for all users and provide them to such access controller once authentication server 224 authenticates the user” and lines 48-64, column 9, lines 34-55, column 17, lines 33-53, “When communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested”);

means adapted for generating permission matrix data in accordance with the at least one preselected user role and retrieved permission matrix template, the permission matrix data including data representative of allowable usage options of the document processing device from a plurality thereof by a user associated with the user data (*Renda* – column 3, lines 60-67, column 4, lines 1-9, column 7, lines 63-67, column 8, lines 1-18, “master access controller 222 may store the privileges for all users and provide them to such access controller once authentication server 224 authenticates the user” and lines 48-64, column 9, lines 34-55, column 17, lines 33-53, “When communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested”, column 18 and lines 11-23); means adapted for communicating the permission matrix data to the document processing device to allow for control thereof (column 3, lines 60-67, column 4, lines 1-9 and 40-52, column 17, lines 33-53, “Although printers are described herein, local services may include any device that is not centrally located, including fax servers, scanners, disk drives and web pages such as those of an intranet” and “When

communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested" and column 43, lines 35-40).

4. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Gregg within the system and method of Renda in order to present "an access system that provides secure access through either a one factor (conventional user name and password) or two factor authentication (using an optional hardware access key with a unique digital ID), thus enabling a superior and effective subscriber authentication which only allows registered subscribers to access protected contents and subscriber authorization which determines the subscriber's access level within a protected site" (*Gregg* – column 1, lines 58-67).

5. Regarding claims 2 and 9, Renda discloses wherein the permission matrix data includes selected permissions associated with at least one of printing, copying, faxing and scanning (column 4, lines 40-52, column 17, lines 33-53, "Although printers are described herein, local services may include any device that is not centrally located, including fax servers, scanners, disk drives and web pages such as those of an intranet" and "When communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested" and column 43, lines 35-40).

6. Regarding claims 3 and 10, Renda discloses wherein the permission matrix data includes data allowing access to all available functions when the user data is representative of an administrative mode (column 4, lines 44-52, "preconfigured by a system administrator", column 7, lines 63-67, column 8, lines 1, 2 and 48-58, column 9, lines 1-55, "a system administrator can define the privileges of a class of users and assign a user to the class", column 16, lines 57-67, column 17, lines 1 and 2, "A local device is a device or other destination that is defined by a system administrator via master controller 222 and transmitted to local services manager 297 as being nearby, or mostly nearby among the other devices on the network in the same class (e.g., printer, scanner, fax, server, disk drive, etc.), to the network access point 230-234 being served by the access controller 220.", column 21, lines 24-27 and column 28, lines 21-31).

7. Regarding claims 5 and 12, Renda discloses wherein the user data representative of the identity of a user comprise at least one of user name and user password (Figures 3D and 3E, column 4, lines 44-52, column 9, lines 45-55, column 23, lines 31-36, "user identifier and password" and column 41, lines 29-59, "if the user indicates that he or she is a guest, the username and password are both treated as if the user had typed, 'guest'").

8. Regarding claims 6 and 13, Renda discloses means adapted for transmitting acquired user data to an authentication server (column 7, lines 63-67, column 8, lines 1-14 and 48-58, column 9, lines 45-55, column 24, lines 50-57, column 27, lines 52-65 and column 29, lines 4-17);

means adapted for transmitting device access data to the authentication server (column 10, lines 37-43 and column 24, lines 58-67);

wherein the authentication server compares the user data with the device access data to generate the permission data matrix (column 3, lines 60-67, column 4, lines 1-9, column 7, lines 63-67, column 8, lines 1-18, "master access controller 222 may store the privileges for all users and provide them to such access controller once authentication server 224 authenticates the user" and lines 48-64, column 9, lines 34-55, column 17, lines 33-53, "When communications to the generic IP address are received by privileges manager 273, it will redirect the communications to the appropriate destination such as the nearest printer that can handle the local service requested", column 18 and lines 11-23).

9. Regarding claims 7 and 14, Renda discloses wherein the user data and the device access data are stored in an associated database (column 3, lines 60-67, column 4, line 1, column 7, lines 63-67, column 8, lines 1-14 and 48-58, column 9, lines 45-55, column 24, lines 50-57, column 27, lines 52-65, column 29, lines 4-17 and column 36, lines 31-50).

[Servers are capable of storing data in an organized manner, thus the servers (as disclosed by Renda) sufficiently disclose the claimed invention as claimed within claims 7 and 14.]

Response to Arguments

10. Applicant's arguments, see page 6, filed 10/08/07, with respect to the 35 U.S.C. 112, first paragraph rejection of claims 15-28 have been fully considered and are persuasive. The 35 U.S.C. 112, first paragraph rejection of claims 15-28 has been withdrawn.

11. Applicant's arguments with respect to claims 1-3, 5-10 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. The following United States Patents and Patent Application Publications are cited to further show the state of the art with respect to access control, such as:

United States Patent No. 7,155,616 to Hamlin which is cited to show a computer network comprising network authentication facilities implemented in a disk drive.

United States Patent No. 6,487,583 to Harvey et al., which is cited to show a system and method for information and application distribution.

United States Patent No. 5,757,916 to MacDoran et al., which is cited to show a method and apparatus for authenticating the location of remote users of networked computing systems.

United States Patent Application Publication No. US 2003/0046586 to Bheemarasetti, et al., which is cited to show secure remote access to data between peers.

United States Patent Application Publication No. US 2003/0093298 to Hernandez, et al., which is cited to show a system and method for providing secure remote access to patient files by authenticating personnel with biometric data.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremiah Avery whose telephone number is (571) 272-8627. The examiner can normally be reached on Monday thru Friday 8:30am-5pm.

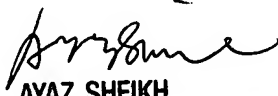
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/771,584
Art Unit: 2131

Page 12

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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